

REMARKS

I. Introduction

Claims 1 to 50, 56, and 57 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to Claim 16

Claim 16 was objected to as containing a misspelled word. Applicants respectfully submit that claim 16, as amended, overcomes the present objection. Therefore, withdrawal of the objection is respectfully requested.

III. Rejection of Claims 1, 2, 14, 17, 19, 20, 56, and 57 Under 35 U.S.C. § 102(b)

Claims 1, 2, 14, 17, 19, 20, 56, and 57 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Application No. 6,287,211 ("Bolliger et al."). Applicants respectfully submit that the present claims are patentable over Bolliger et al. for at least the following reasons.

Bolliger et al. purportedly relate to an installation for an amusement park. The installation is stated to include a seat with an upper part 3 in the form of a shell, forming the back section 5, 6 and the lateral parts 4, 4' of the seat, likewise serving as armrests, and a lower base part 7, constituting the footrest for the seat. See col. 3, lines 15 to 18. The lower base part 7 is stated to be moulded in the shape of the buttocks and thighs of a passenger. See col. 3, lines 18 to 19. A pivoting retaining element 30 is shaped to fit the upper part of the thighs of a passenger when seated in the seat 3, 7. See col. 3, line 25 and lines 36 to 38.

Nowhere does Bolliger et al. disclose, or even suggest, a seat for an amusement apparatus including a support that is shaped so as to receive the passenger *astride the seat*, as required by independent claims 1, 56, and 57. The lower base part 7 of the Bolliger et al. seat is stated to be "intended to come in contact with the passenger's thighs" and to comprise "for this purpose two recesses forming a hollow corresponding approximately to the size of the passenger's thighs." See Abstract. Consequently, the legs of a rider sitting in the lower base part 7 are surrounded on both sides by upward turning sections of the lower base part 7 and lateral part 4, 4', which makes it physically impossible to sit astride the lower base

part and still be retained by retaining element 30. The seat of Bolliger et al. is simply not shaped to receive the passenger astride the seat. Even if a passenger could manage to place his legs on either side of lateral parts 4, 4', retaining element 30 would not serve its intended retaining purpose as it would not contact the upper part of the passenger's thighs. See col. 3, lines 36 to 38.

Therefore, withdrawal of the rejection of independent claims 1, 56, and 57, as well as claims 2, 14, 17, 19, and 20, which ultimately depend from claim 1, is respectfully requested.

IV. Rejection of Claim 18 Under 35 U.S.C. § 103(a)

Claim 18 was rejected under 35 U.S.C. § 103(a) as unpatentable over Bolliger et al. Applicants respectfully submit that claim 18 is patentable over Bolliger et al. for at least the reasons submitted above in support of the patentability of claim 1, from which claim 18 ultimately depends. Withdrawal of this rejection is therefore respectfully requested.

V. Allowable Subject Matter

Applicants note with appreciation the indication of allowable subject matter contained in claims 3 to 6, 13, 15, and 16. The Examiner will note that each of claims 3, 4, and 15 has been rewritten herein in independent form to include all of the limitations of its respective base claim and any intervening claims. Claim 16 depends from amended claim 3 and claims 5, 6, and 13 depend from amended claim 4. It is therefore respectfully submitted that all of claims 3 to 6, 13, 15, and 16 are in condition for immediate allowance.

VI. Allowed Claims

Applicants respectfully acknowledge the allowance of claims 21 to 50.

VII. Conclusion

Applicants respectfully submit that all of the pending claims of the present application are now in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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